

Simeon M. Herskovits, Nevada Bar No. 11155  
 Advocates for Community and Environment  
 P.O. Box 1075  
 El Prado, New Mexico 87529  
 (575) 758-7202  
 simeon@communityandenvironment.net  
*Attorney for Mineral County, Nevada*

**UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 WALKER RIVER PAIUTE TRIBE, )  
 )  
 Plaintiff-Intervenor, )  
 vs. )  
 )  
 WALKER RIVER IRRIGATION DISTRICT, )  
 a corporation, et al., )  
 )  
 Defendants. )  
 )  
 MINERAL COUNTY, )  
 )  
 Proposed-Plaintiff-Intervenor, )  
 vs. )  
 )  
 WALKER RIVER IRRIGATION DISTRICT )  
 a corporation, et al. )  
 )  
 Proposed Defendants. )

IN EQUITY NO. C-125-ECR  
 Subproceedings: C-125-B & C-125-C  
 3:73-CV-00127-ECR- LRL &  
 3:73-CV-00128-ECR- LRL

**UNOPPOSED MOTION FOR  
 EXTENSION OF TIME TO FILE  
 RESPONSE TO WALKER RIVER  
 IRRIGATION DISTRICT’S  
 OBJECTIONS TO RULINGS OF  
 MAGISTRATE JUDGE WITH  
 RESPECT TO REVISED  
 PROPOSED ORDERS AND  
 AMENDED ORDERS  
 CONCERNING SERVICE ISSUES  
 PERTAINING TO DEFENDANTS  
 WHO HAVE BEEN SERVED**

**ORDER GRANTING**

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and LR 6-1 and LR 6-2,  
 counsel for the Mineral County moves the Court for an order extending the time for the Walker  
 River Paiute Tribe, United States of America, and Mineral County (“Plaintiff Parties”) to file  
 their response to the Walker River Irrigation District’s Objections to Rulings of Magistrate Judge  
 With Respect to Revised Proposed Orders and Amended Orders Concerning Service Issues  
 C-125-B/C-125-C: Mineral County Request for Extension

1 Pertaining to Defendants Who Have Been Served (“WRID’s objections”) (C-125-B Docs. 1652  
2 & 1653; C-125-C Docs. 543 & 544) from on or before September 29, 2011, to on or before  
3 December 2, 2011.

4 In support of this Motion, counsel for Mineral County represents the following to the  
5 Court:  
6

- 7 1. At the request of Plaintiff Parties, Magistrate Judge Leavitt held a telephonic status  
8 conference on October 19, 2010, for the purpose of addressing pending service issues.  
9 (Order, C-125-B Doc. 1598; C-125-C Doc. 512).
- 10 2. Pursuant to the status conference and by Stipulation and Order dated December 9, 2010,  
11 and December 15, 2010, respectively, the Court established a schedule for filing  
12 proposed service cutoff and successor-in-interest orders in C-125-B and C-125-C as well  
13 as memoranda related to objections, if any, to the proposed orders. (C-125-B Doc. 1616;  
14 C-125-C Doc. 518).
- 15 3. Pursuant to the Court’s direction, on November 30, 2010, the United States and Walker  
16 River Paiute Tribe filed a proposed Service Cut-Off order in subproceeding C-125-B and  
17 the United States, Walker River Paiute Tribe, and Mineral County filed joint proposed  
18 Successor-in-Interest Orders in subproceedings C-125-B and C-125-C. (C-125-B Docs.  
19 1613 & 1614; C-125-C Doc. 516).
- 20 4. In late 2010 and early 2011, the Court extended the filing deadlines related to the  
21 proposed orders three times, twice for Primary Defendants and once for the Plaintiff  
22 Parties. (C-125-B Docs. 1617, 1620, 1627; C-125-C Docs. 519, 521, 528).
- 23 5. After briefing in early 2011, on August 24, 2011, Magistrate Judge Leavitt issued  
24 identical Revised Proposed Orders Concerning Service Issues Pertaining to Defendants  
25  
26  
27

1 Who Have Been Served in both subproceedings 125-B and 125-C. (C-125-B Doc. 1649,  
2 C-125-C Doc. 540).

3 6. On August 26, 2011, Magistrate Judge Leavitt issued an Amended Order Concerning  
4 Service Issues Pertaining to Defendants Who Have Been Served in subproceeding C-125-  
5 B. (C-125-B Doc. 1650).

6 7. On September 6, 2011, Magistrate Judge Leavitt issued an identical Amended Order  
7 Concerning Service Issues Pertaining to Defendants Who Have Been Served in  
8 subproceeding C-125-C. (C-125-C Doc. 542).

9 8. The amended orders contained attachments not included in the August 24, 2011, orders,  
10 but are otherwise identical to the August 24 orders.

11 9. On September 12, 2011, WRID filed Objections to Rulings of Magistrate Judge With  
12 Respect to Revised Proposed Orders and Amended Orders Concerning Service Issues  
13 Pertaining to Defendants Who Have Been Served, challenging the Magistrate Judge's  
14 August 24, August 26, and September 6 orders. (C-125-B Docs. 1652 & 1653; C-125-C  
15 Docs. 543 & 544).

16 10. On that same day, Circle Bar N Ranch, LLC, and Mica Farms, LLC joined in WRID's  
17 objections. (C-125-B Doc. 1654; C-125-C Doc. 545).

18 11. Pursuant to LR IB 3-1 and Rule 6(d) of the Federal Rules of Civil Procedure, the deadline  
19 for responses to WRID's objections is September 29, 2011.

20 12. Just as the three Plaintiff Parties submitted joint filings on successor-in-interest issues  
21 before Magistrate Judge Leavitt, the Walker River Paiute Tribe, United States of  
22 America, and Mineral County plan to submit a joint response to WRID's objections and  
23 will need to work collaboratively on that response.  
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1 13. Attorneys for Mineral County currently are preparing for a six (6) week administrative  
2 hearing, effectively a trial, before the Nevada State Engineer that is set to begin  
3 September 26, 2011, and will run through November 18, 2011, with a two week  
4 intermission in late October during which time counsel for Mineral County will be  
5 engaged in intense preparation for the second half of the hearing.  
6

7 14. Counsel for Mineral County is coordinating work on the joint response with counsel for  
8 the United States and Walker River Paiute Tribe, and will endeavor to accomplish as  
9 much as possible during the intermission in the State Engineer's administrative hearing in  
10 order to file the joint response as soon as possible.  
11

12 15. However, due to the intensity and level of preparation required for that hearing, counsel  
13 for Mineral County likely will not have sufficient time to ensure that Mineral County's  
14 interests and positions are adequately addressed in the response to WRID's objections  
15 until after the completion of the hearing and the Thanksgiving holiday that immediately  
16 follows.  
17

18 16. Therefore, Mineral County requests an extension until December 2, 2011, in which to file  
19 a joint response to WRID's objections.  
20

21 17. Counsel for Mineral County has contacted counsel for Primary Defendants concerning  
22 this request for an extension and none of the Primary Defendants has objected to it..  
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1 NOW, THEREFORE, based upon the foregoing, Mineral County respectfully requests  
2 that the Court grant this Unopposed Motion, and extend the time for Plaintiff Parties to file their  
3 response to WRID's objections, to on or before December 2, 2011, which would give counsel for  
4 Mineral County sufficient time to work with the United States and Walker River Paiute Tribe to  
5 prepare that response.  
6

7  
8 Respectfully submitted this 23rd day of September, 2011,

9 ADVOCATES FOR COMMUNITY &  
10 ENVIRONMENT

11 By: /s/  
12 Simeon M. Herskovits  
13 Nevada Bar No. 11155  
14 P.O. Box 1075  
15 El Prado, New Mexico 87529  
16 *Attorney for Mineral County*

17 **ORDER**

18 Dated: September 28, 2011.  
19

20 IT IS SO ORDERED.

21   
22 Edward C. Reed.  
23 United States District Judge  
24  
25  
26  
27

**CERTIFICATE OF SERVICE**

I hereby certify that on this 23rd day of September, 2011, I electronically filed the foregoing **UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO WALKER RIVER IRRIGATION DISTRICT'S OBJECTIONS TO RULINGS OF MAGISTRATE JUDGE WITH RESPECT TO REVISED PROPOSED ORDERS AND AMENDED ORDERS CONCERNING SERVICE ISSUES PERTAINING TO DEFENDANTS WHO HAVE BEEN SERVED** with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following via their email addresses:

Marta A. Adams

[madams@ag.nv.gov](mailto:madams@ag.nv.gov) [pyoung@ag.nv.gov](mailto:pyoung@ag.nv.gov)

Gregory W. Addington

[greg.addington@usdoj.gov](mailto:greg.addington@usdoj.gov) [judy.farmer@usdoj.gov](mailto:judy.farmer@usdoj.gov) [joanie.silvershield@usdog.gov](mailto:joanie.silvershield@usdog.gov)

George N. Benesch

[gbenesch@sbcglobal.net](mailto:gbenesch@sbcglobal.net)

Gordon H. DePaoli

[gdepauli@woodburnandwedge.com](mailto:gdepauli@woodburnandwedge.com)

Dale E. Ferguson

[dferguson@woodburnandwedge.com](mailto:dferguson@woodburnandwedge.com)

Simeon M. Herskovits

[simeon@communityandenvironment.net](mailto:simeon@communityandenvironment.net)

John W. Howard

[john@jwhowardattorneys.com](mailto:john@jwhowardattorneys.com), [elisam@jwhowardattorneys.com](mailto:elisam@jwhowardattorneys.com)

Erin K. L. Mahaney

[emahaney@waterboards.ca.gov](mailto:emahaney@waterboards.ca.gov)

Ross E. de Lipkau

[RdeLipkau@parsonsbehle.com](mailto:RdeLipkau@parsonsbehle.com), [LBagnall@parsonsbehle.com](mailto:LBagnall@parsonsbehle.com); [ecf@parsonsbehl.com](mailto:ecf@parsonsbehl.com)

David L. Negri

[David.negri@usdoj.gov](mailto:David.negri@usdoj.gov)

Michael Neville

C-125-B/C-125-C: Mineral County Request for Extension

1 [michael.neville@doj.ca.gov](mailto:michael.neville@doj.ca.gov), [cory.marcelino@doj.ca.gov](mailto:cory.marcelino@doj.ca.gov)

2 Karen A. Peterson  
3 [kpeterson@allisonmackenzie.com](mailto:kpeterson@allisonmackenzie.com), [egarrison@allisonmackenzie.com](mailto:egarrison@allisonmackenzie.com)

4 Todd A. Plimpton  
5 [tplimpton@msn.com](mailto:tplimpton@msn.com)

6 Laura A. Schroeder  
7 [counsel@water-law.com](mailto:counsel@water-law.com)

8 Stacey Simon  
9 [ssimon@mono.ca.gov](mailto:ssimon@mono.ca.gov)

10 Wes Williams, Jr.  
11 [wwilliams@standordalumni.org](mailto:wwilliams@standordalumni.org)

12 Cheri Emm-Smith  
13 [districtattorney@mineralcountynv.org](mailto:districtattorney@mineralcountynv.org)

14 William E. Schaeffer  
15 [Lander\\_lawyer@yahoo.com](mailto:Lander_lawyer@yahoo.com)

16 Bryan L. Stockton  
17 [blstockt@ag.state.nv.us.gov](mailto:blstockt@ag.state.nv.us.gov), [payoung@agstate.nv](mailto:payoung@agstate.nv)

18 Stuart David Hotchkiss  
19 [david.hotchkiss@ladwp.com](mailto:david.hotchkiss@ladwp.com)

20 Paul J. Anderson  
21 [panderson@mclrenolaw.com](mailto:panderson@mclrenolaw.com)

22 Richard W. Harris  
23 [rharris@gbis.com](mailto:rharris@gbis.com)

24 John Paul Schlegelmilch  
25 [jpslaw@netscape.com](mailto:jpslaw@netscape.com)

26 Michael R. Montero  
27 [mrm@eloreno.com](mailto:mrm@eloreno.com)

28 Julian C. Smith, Jr.  
[joylyn@smithandharmer.com](mailto:joylyn@smithandharmer.com)

Gene M. Kaufman  
[GKaufmann@mindenlaw.com](mailto:GKaufmann@mindenlaw.com)

1 J.D. Sullivan

2 [jd@mindenlaw.com](mailto:jd@mindenlaw.com)

3 Charles S. Zumpft

4 [zumpft@brooke-shaw.com](mailto:zumpft@brooke-shaw.com)

5 Harry W. Swainston

6 [hwsainston@earthlink.net](mailto:hwsainston@earthlink.net)

7 Malissa Hathaway McKeith

8 [mckeith@lbbslaw.com](mailto:mckeith@lbbslaw.com)

9 Sheri M. Thome

10 [Sheri.thome@wilsonelser.com](mailto:Sheri.thome@wilsonelser.com)

11 Marvin W. Murphy

12 [marvinmurphy@sbcglobal.net](mailto:marvinmurphy@sbcglobal.net)

13 Brian Chally

14 [brian.chally@lvvwd.com](mailto:brian.chally@lvvwd.com)

15 Kirk C. Johnson

16 [kirk@nvlawyers.com](mailto:kirk@nvlawyers.com)

17 G. David Robertson

18 [gdauid@nvlawyers.com](mailto:gdauid@nvlawyers.com)

19 Louis S. Test

20 [twallace@htag.reno.nv.us](mailto:twallace@htag.reno.nv.us)

21 T. Scott Brooke

22 [brooke@brooke-shaw.com](mailto:brooke@brooke-shaw.com)

23 William J. Duffy

24 [William.duffy@dgslaw.com](mailto:William.duffy@dgslaw.com)

25 Michael D. Hoy

26 [mhoy@nevadalaw.com](mailto:mhoy@nevadalaw.com)

27 Debbie Leonard

28 [dleonard@mcdonaldcarano.com](mailto:dleonard@mcdonaldcarano.com)

Michael F. Mackedon

[falonlaw@phonewave.net](mailto:falonlaw@phonewave.net)



Donald B. Mooney  
[dbmooney@dcn.org](mailto:dbmooney@dcn.org)

Erick Soderlund  
[esoderlu@water.ca.gov](mailto:esoderlu@water.ca.gov)

Don Springmeyer  
[dspringmeyer@wrslawyers.com](mailto:dspringmeyer@wrslawyers.com)

James Spoo  
[spootoo@aol.com](mailto:spootoo@aol.com), [jjrbau@hotmail.com](mailto:jjrbau@hotmail.com)

Lynn Steyaert  
[lls@water-law.com](mailto:lls@water-law.com)

Michael A. Pagni  
[mpagni@mcdonaldcarano.com](mailto:mpagni@mcdonaldcarano.com)

Noelle R. Gentilli  
[ngentill@water.ca.gov](mailto:ngentill@water.ca.gov)

Sylvia L. Harrison  
[sharrison@mcdonaldcarano.com](mailto:sharrison@mcdonaldcarano.com)

Brad M. Johnston  
[bjohnston@hollandandhart.com](mailto:bjohnston@hollandandhart.com), [RenoFedECF@halelane.com](mailto:RenoFedECF@halelane.com), [btoriyama@halelane.com](mailto:btoriyama@halelane.com),  
[carnold@halelane.com](mailto:carnold@halelane.com), [cpulsipher@halelane.com](mailto:cpulsipher@halelane.com), [eford@hollandandhart.com](mailto:eford@hollandandhart.com)

Stephen M. Macfarlane  
[Stephen.Macfarlane@usdoj.gov](mailto:Stephen.Macfarlane@usdoj.gov), [deedee.sparks@usdoj.gov](mailto:deedee.sparks@usdoj.gov)

Marshall Rudolph  
[mrudolph@mono.ca.gov](mailto:mrudolph@mono.ca.gov)

Susan L. Schneider  
[susan.schneider@usdoj.gov](mailto:susan.schneider@usdoj.gov)

Gary Stone  
[jaliep@aol.com](mailto:jaliep@aol.com)

and I further certify that I served or caused to have served a true and correct copy of the  
foregoing **UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE RESPONSE**  
**TO WALKER RIVER IRRIGATION DISTRICT'S OBJECTIONS TO RULINGS OF**

**MAGISTRATE JUDGE WITH RESPECT TO REVISED PROPOSED ORDERS AND  
AMENDED ORDERS CONCERNING SERVICE ISSUES PERTAINING TO DEFENDANTS**

**WHO HAVE BEEN SERVED** on the following non-CM/ECF participants by U.S Mail, postage prepaid, this 23rd day of September, 2011.

Ken Spooner  
Walker River Irrigation District  
P.O. Box 820  
Yerington, NV 89447

Jason King  
State Engineer – Division of Water Resources  
State of Nevada  
901 S. Stewart Street  
Carson City, NV 89701

John Kramer  
Department of Water Resources  
1416 Ninth Street, Room 1118  
Sacramento, CA 94814

Jim Shaw  
Chief Dep. Water Commissioner  
U.S. Board of Water Commissioners  
P.O. Box 853  
Yerington, NV 89447

Robert L. Hunter, Superintendent  
Western Nevada Agency  
Bureau of Indian Affairs  
311 E. Washington Street  
Carson City, NV 89701-4065

Jeff Parker, Deputy Atty General  
Office of the Attorney General  
100 N. Carson St.  
Carson City, NV 89701-4717

Leo Drozdoff  
Dept. of Conservation & Natural Resources  
State of Nevada  
901 S. Stewart Street  
Carson City, NV 89701

Michael F. Mackedon  
P.O. Box 1203  
179 South LaVerne Street  
Fallon, NV 89407

Nathan Goedde  
Staff Counsel  
California Dept. of Fish & Game  
1416 Ninth Street, Suite 1335  
Sacramento, CA 95814

Kelly R. Chase  
1700 County Road, Suite A  
P.O. Box 2800  
Minden, NV 89423

Michael D. Hoy  
Bible Hoy & Trachok  
201 West Liberty Street, Third Floor  
Reno, NV 89511

Wesley G. Beverlin  
Malissa Hathaway McKeith  
Lewis, Brisbois, Bisgaard & Smith LCP  
221 N. Figueroa St., Suite 1200  
Los Angeles, CA 90012

District Attorney for Lyon County  
31 South Main Street  
Yerington, NV 89447

Timothy A. Lukas  
P.O. Box 3237  
Reno, NV 89505

Weaver Revocable Trust Agreement, William  
M. Jr. & Rosemary F. Weaver, Trustees  
510 Hwy. 338  
Wellington, NV 89444

William J Shaw  
Brooke & Shaw, Ltd.  
1590 Fourth Street  
P.O. Box 2860  
Minden, NV 89423

Thomas J. Hall, Esq.  
Post Office Box 3948  
305 S. Arlington Ave.  
Reno, NV 89505

Adah Blinn and John Hargus Trust, Robert  
Lewis Cooper, Trustee  
984 Hwy 208  
Yerington, NV 89447

Scott H. Shackelton  
Law Offices of Scott Shackelton  
4160 Long Knife Road  
Reno, NV 89509

Richard B. Nuti  
P.O. Box 49  
Smith, NV 89430

Casino West  
Lawrence B. Masini, RA  
11 North Main Street  
Yerington, NV 89447

R.A. Palayo  
5336 Awbury7 Ave.  
Las Vegas, NV 89110

Domenici 1991 Family Trust  
Lona Marie Domenici-Reese  
P.O. Box 333  
Yerington, NV 89447

Charles Price  
24 Panavista Circle  
Yerington, NV 89447

Theodore A. and Annette M. Emens  
5A W. Pursel Lane  
Yerington, NV 89447

John Gustave Ritter III  
34 Aiazzi Lane  
Yerington, NV 89447

L & M Family Limited Partnership  
Rife Sciarani & Co, RA  
22 HWY 208  
Yerington, NV 89447

Sceirine Fredericks Ranch  
c/o Todd Sceirine  
3100 Hwy 338  
Wellington, NV 89444

Wallace J. & Linda P. Lee  
904 W. Goldfield Ave.  
Yerington, NV 89447

Silverado, Inc.  
Gordon R. Muir, RA  
One E. Liberty St., Suite 416  
Reno, NV 89501

Joseph J. Bessie J. Lommori Trust, Joseph J. &  
Bessie J. Lommori, Trustees  
710 Pearl Street  
Yerington, NV 89447

Daniel G. & Shawna S. Smith  
P.O. Box 119  
Wellington, NV 89444

Cynthia Menesini  
111 N. Hwy 95A  
Yerington, NV 89447

Christy De Long & Kirk Andrew Stanton  
27 Borsini Lane  
Yerington, NV 89447

Cynthia Nuti  
P.O. Box 49  
Smith, NV 89430

Jerry E. Tilley Trust, Jerry E. Tilley, Trustee  
11418 S. 105<sup>th</sup> E. Ave  
Bixby, OK 74008

Nancy J. Nuti  
P.O. Box 49  
Smith, NV 89430

Susan Steneri  
P.O. Box 478  
Yerington, NV 89447

Athena Brown, Superintendent  
Western Nevada Agency  
Bureau of Indian Affairs  
311 E. Washington Street  
Carson City, NV 89701-4065

R. C. Howard  
Hale Lane Peek, Dennison & Howard  
5441 Kietzke Lane  
Suite 200  
Reno, NV 89511

George M. Keele  
1692 County Road  
Suite A  
Minden, NV 89423

Gary A. Sheerin  
Gary A. Sheerin, Law Office of  
177 W. Proctor Street, Suite B  
Carson City, NV 89703

Walker Lake Water Dist. G.I.D.  
Walker Lake GID  
175 Wassuk Way  
Walker Lake, NV 89415

David Moser  
McCutchen, Doyle, Brown, et.al.  
Three Embaracadero Center  
Suite 1800  
San Francisco, CA 94111

Gary Stone  
Water Master  
290 South Arlington Ave.  
Reno, NV 89501

James Fousekis  
2848 Garber Street  
Berkeley, CA 94705

Mary Rosaschi  
P.O. Box 22  
Wellington, NV 89444

William K. Vicencio  
P.O. Box 478  
Yerington, NV 89447

/s/

NOEL SIMMONS